IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5018 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL JAYESHKUMAR A - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
MR HJ NANAVATI for Petitioner(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 1 - 2.
NOTICE SERVED for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 23/11/2006

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for appropriate writ, order or direction quashing and

setting aside order dated 8.7.1997 terminating the services of the petitioner as ad hoc lecturer in Civil Engineering Department at the Government Polytechnic, Himatnagar.

2. During pendency of the present petition, no interim relief was granted by this Court. It is an admitted position that appointment of the petitioner was purely on ad hoc basis and till the regularly selected candidate selected by the GPSC is available.

3. In view of the above, the petitioner has no right to continue on the post in question. It appears that during pendency of the present petition, the post is already filled in by the regularly selected candidate selected by the GPSC. Under the circumstances, there is no substance in the present petition and the same is required to be dismissed. Accordingly, this petition is dismissed. Rule is discharged. Interim relief, if any, granted earlier stands vacated. No costs.

(M.R.SHAH, J)

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